

First-in-Nation RGGI Auction Brings \$13.3 Million to Commonwealth for Use in Energy Efficiency Programs, Winter Energy Costs

Next Carbon Dioxide Auction on December 17 to Include All Ten RGGI States

The second auction of carbon dioxide (CO₂) emissions allowances by the Regional Greenhouse Gas Initiative (RGGI) will be held December 17, and all 10 RGGI states – including Massachusetts – are expected to participate in this auction and offer more than 31.5 million allowances for sale. The Commonwealth will be offering more than 4.3 million allowances for sale that day.



The second auction follows the successful first-in-the-nation auction in September when Massachusetts and five other RGGI states sold 12.5 million allowances at a clearing price of \$3.07 per allowance. That sale resulted in proceeds of \$38,575,783 for Massachusetts, Connecticut, Maine, Maryland, Rhode Island and Vermont.

The Commonwealth will use its share of \$13.3 million from the first auction to help fund energy efficiency programs administered by electric and natural gas utilities, start-up of the new Green Communities program that will include renewable energy efforts, and fund additional efficiency programs to tackle the expected high winter energy costs.

“We will use these funds to help municipalities find greener solutions to their energy challenges, and help consumers reduce their energy bills,” said Governor Deval Patrick following the first RGGI auction. “With a difficult winter ahead, we expect to put these resources to work immediately.”

The Green Communities Act signed by the Governor in July allows RGGI auction proceeds to be used to fund the Green Communities program of incentives and assistance for municipalities to adopt energy efficiency and renewable energy measures, to support energy efficiency, conservation and demand response programs, and to reimburse the Commonwealth for administrative costs associated with the RGGI program.

Gov. Patrick announced that \$3.5 million of the RGGI proceeds will be used for 2008 utility-administered energy efficiency programs, \$5 million will be allocated for the start-up of the Green Communities program, \$4.3 million will be used for additional energy efficiency efforts to combat high winter energy costs, and \$500,000 will be allocated for administrative and vendor costs associated with the state’s participation in RGGI.

State environmental officials – Energy and Environmental Affairs Secretary Ian Bowles, MassDEP Commissioner Laurie Burt and Department of Energy Resources Commissioner Phil Guidice – said they were pleased with the results of the first RGGI auction, adding that RGGI’s success shows that auctioning all or most CO2 allowances can work well as part of a market-based program and it can serve as a model for a federal cap-and-trade program.

Massachusetts is one of 10 Northeast and Mid-Atlantic states pioneering the first mandatory cap-and-trade program to reduce greenhouse gas emissions in the United States. The states have committed to cap and then reduce the amount of CO2 that power plants in their region are allowed to emit, limiting the region’s total contribution to atmospheric greenhouse gas levels.

After the 10 RGGI states have stabilized power sector carbon emissions at their capped level by 2014, the cap will be reduced by 2.5 percent each year from 2015 through 2018, resulting in a 10 percent reduction overall.

RGGI intends to hold quarterly auctions during the first RGGI three-year compliance period, commencing January 1, 2009 to December 31, 2011.

The 10 states participating in RGGI are Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, Rhode Island and Vermont.

For more information about RGGI and the CO2 auctions, turn to:
<http://www.mass.gov/dep/air/climate/index.htm#rggi> or www.rrgi.org

November is ‘Brownfields Month’

Lt. Gov Murray Hosts Events Statewide to Mark Brownfields Act 10th Anniversary

The Patrick Administration has declared November “Brownfields Month,” and events scheduled around the state will commemorate the 10th anniversary of the signing of the landmark Massachusetts Brownfields Act and celebrate the Commonwealth’s accomplishments over the past decade.

The first Brownfields Month event was held Nov. 6, and marks the 10-year anniversary of the signing of the Brownfields Act. The event featured Lt. Governor Timothy Murray and Boston Mayor Thomas Menino, and was held at the Spire Creative Service site in Dorchester. This former Brownfields site was redeveloped into commercial and office space, and it hosted the ceremony 10 years ago when the Act was signed into law.

The second Brownfields Month event is set for Nov. 13 at the Boys and Girls Club of Worcester. The mini-conference will feature a welcome from Lt. Gov. Murray, remarks about Brownfields redevelopment nationally and internationally by keynote speaker Robert Colangelo of the National Brownfields Association, and a Brownfields panel discussion lead by MassDEP Commissioner Laurie Burt.

The third Brownfields Month event will be held Nov. 20 at The Arbors assisted living facility in Greenfield. This event will showcase a successful Brownfields redevelopment project that used all

programs created under the 1998 Brownfields Act. It will feature remarks from Lt. Gov. Murray and Attorney General Martha Coakley.

A fourth Brownfields Month event being planned on Nov. 25 in Taunton is entitled “The Environmental Business Council Celebrates the Future of Brownfields.”

A Decade of Brownfields Successes

Massachusetts was like many states in the 1990s, suffering from a glut of abandoned and polluted parcels of land. These Brownfield sites were forgotten, as potential developers stayed away because of the environmental contamination, lack of financial support and poor market conditions.

In 1998, the first-in-the-nation Brownfields Act was signed, making it less risky for municipalities and developers to undertake difficult Brownfields projects. The Act provided financial incentives, liability relief, low-interest loans for the assessment and cleanup of sites, tax credits to cover cleanup costs, and covenants not to sue for developers that comply with the state’s cleanup rules.

Since its enactment, state-sponsored programs have been instrumental in assessing, cleaning up and redeveloping more than 1,300 Brownfields sites across the Commonwealth. MassDEP staff has provided proactive assistance to 723 of those projects in more than 200 communities.

The Brownfields Redevelopment Fund (administered by MassDevelopment) has disbursed more than \$41.8 million to fund 418 assessment and cleanup projects. An estimated 4,945 new housing units were created, and 1,171 acres of land were assessed and cleaned up.

Funding provided through the state subsidized environmental insurance program has leveraged \$6.6 million in cleanup funding, leading to the creation of 27,000 new jobs, and \$4.1 billion in development expenditures.

The Brownfields Month events will celebrate the past accomplishments, as well as look ahead to initiatives that will bring Brownfields redevelopment to a new level, and allow work to begin on the next generation of sites that pose even tougher challenges.

These efforts include the Brownfields Support Team Initiative, announced by Lt. Gov. Murray this summer. This initiative will concentrate state financial, legal and technical resources on the five pilot projects announced this summer (City Pier in Fall River, Ted’s for Tires in Haverhill, Fisherville Mill in Grafton, South Worcester Industrial Park in Worcester, and Chapman Valve in Springfield).

Further efforts will include reducing greenhouse gas emissions in major real estate developments – including Brownfields – through the permit review process. The initiative will also promote Brownfields redevelopment and the use of clean energy technologies in Environmental Justice communities where residents suffer disproportionately from environmental risks or hazards.

For more information on Brownfields Month issues and events, turn to:

<http://www.mass.gov/dep/cleanup/brownfie.htm>

High-Tech Emergency Response Vehicle Rolls into Service

MassDEP's New FAST Lab to Provide Real-Time Data at Emergency Scenes

The latest addition to MassDEP's emergency response capabilities is a sleek, ambulance-like vehicle called "FAST," short for Field Assessment and Support Team. The speed of the vehicle is not its main attraction, however, nor is its boxy-design. The main attraction of FAST is its on-board diagnostic equipment, which has been attracting favorable media attention, and earning laudatory approvals from staff in the MassDEP regional offices during the rollout this fall.

Once you see it, you'll understand. The FAST vehicle enables MassDEP's first-responders to rapidly test for the presence of air, water and soil contaminants in the field – in real time – rather than haul samples back to the lab. Having this on-scene capability can be critical in protecting the well-being of the public as well as water supply sources, wetlands and other natural resources during emergencies.

Equipment and instrumentation on-board the FAST vehicle includes:

- A series of gas chromatographs, to enable in-field, rapid testing of air, water, and soil samples for chemical contaminants;
- An on-board weather station that provides real-time meteorological data to support on-site computer modeling of releases of chemicals to the air, and provide timely information to incident commanders on the need for evacuation and other response actions during emergencies;
- A portable Raman Spectroscopy unit, capable of identifying thousands of chemical substances;
- Radiation detectors;
- Asbestos sampling and test equipment; and
- A series of hand-held meters to monitor explosive gases and other specific chemical vapors that may be present near an emergency scene.

The official unveiling of the FAST vehicle was held in September at the Danvers Fire Department headquarters. This building is located a short 1.5 miles from the Danversport residential neighborhood where two years ago, in the early morning hours of November 22nd, an ink and paint factory exploded, leveling not just the two factories but severely damaging or destroying 77 nearby homes, three businesses, dozens of boats and injuring 10 people.

Responding to this and other future emergencies that may arise, however, is only part of its mission, and only part of the reason for bringing the FAST vehicle into service.

"This vehicle has a day job," said MassDEP's emergency coordinator John Fitzgerald, pointing out that the FAST vehicle will not sit idle – waiting for an emergency – but instead will be utilized in day-to-day operations at ongoing cleanups across the Commonwealth.

In addition to the official unveiling, the FAST vehicle has visited MassDEP's regional offices in Worcester on October 3rd, Lakeville on October 14th, and, Springfield on October 17th.

Providing first-responders at the scene immediate access to testing capabilities helps them quickly respond to rapidly changing conditions during an emergency. Many of the functions now available on

the FAST vehicle were previously conducted back at the laboratory, resulting in delays in crucial protective actions.

On-board supplies and equipment are also available to rapidly install and sample groundwater monitoring wells, and, in the event of flooding or sewage spills, to test for the presence of harmful bacteria and other water pollutants.

The FAST vehicle cost approximately \$180,000 and was funded from both federal and state sources.

The FAST vehicle is staffed by MassDEP employees from across the Commonwealth, allowing rapid response in all areas of Massachusetts. The vehicle will also be used to investigate environmental release incidents and longer-term field sampling projects.

New Massachusetts Vehicle Check Inspection Program Rolls Out Oct. 1

MassDEP, Attorney General Also Announce Enforcement Cases Catching Seven Stations in Alleged Inspection Scam Under Old I&M System

The Commonwealth rolled out its “next generation” vehicle emissions testing and safety inspection program October 1st, bringing approximately 1,400 inspection stations online to handle the 4.6 million vehicle tests a year.

MassDEP and the Registry of Motor Vehicles announced that the program has a new name, *Massachusetts Vehicle Check*, a new contractor, Parsons Commercial Technology Group, Inc., and all vehicles model year 1996 and newer will get an emissions test every year, instead of every two years.

But, most motorists should not notice much of a difference when they pull into their neighborhood inspection station. The inspection fee remains at \$29, and each passenger car, truck and SUV will be inspected using the On-Board Diagnostic (OBD) testing system that has been in place since 2004.

MassDEP Commissioner Laurie Burt said that the simple, plug-in OBD test takes only a few minutes, but the yearly test will “be good for engine efficiency and good for the environment,” helping to reduce air emissions from the transportation sector.

OBD emissions testing has also been introduced for 1997 and newer light-duty diesel vehicles (weighing 8,500 pounds or less) and 2007 and newer medium-duty diesel vehicles (weighing 8,501 to 14,000 pounds). By 2012, an additional 1.5 tons per day of smog-forming pollutants will be removed from the air.

Cars, trucks and SUVs manufactured before 1996 – which, at less than 15 percent of the fleet, currently comprise a small and declining share of all vehicles registered in Massachusetts – are either not equipped with on-board computers or not compatible with the OBD test. These older vehicles will no longer get the tailpipe emissions test, but they will fail their yearly safety tests if inspectors can see smoke coming from the tailpipe.

A motorist whose private passenger vehicle fails its OBD emissions test will have 60 days from the initial inspection to get the vehicle repaired and bring it to the same station for a free re-test. When a vehicle is fixed by a state-registered emissions repair technician, but it fails again, the motorist may

qualify for a one-year emissions waiver if repair costs exceed \$750, \$650 or \$550, depending on the age of the vehicle.

Under the new program, a motorist facing major repairs of a private passenger vehicle that fails its emissions test – such as a transmission replacement or an engine overhaul – will also have the option of applying for an economic hardship extension. This will give the motorist a one-time, one-year sticker to continue operating a vehicle while deciding whether to fix or replace it.

Parson Technology is managing the day-to-day operations of the new Massachusetts Vehicle Check program, supporting the statewide network of 1,400 inspection stations, and offering 12 conveniently located Motorist Assistance Centers to provide advice to motorists, assistance to repair technicians, and vehicle evaluations for repair waivers.

For more information on the program, call the Massachusetts Vehicle Check hotline at 1-866-941-6277 or log on: www.mass.gov/vehiclecheck

Under Old Program, Inspectors Charged with Illegal ‘Clean Scan’ Activities

While the new auto inspection program was starting Oct. 1st, MassDEP and the Attorney General’s office were clamping down on seven inspection stations and 12 inspectors for violations uncovered under the old testing program.

A joint Environmental Strike Force investigation by MassDEP and the Attorney General of emissions inspection stations found that these stations were issuing passing stickers on vehicles that were not in fact emissions tested. The alleged scam was carried out by conducting tests on a clean vehicle and then using the results from that test to issue a passing inspection sticker to the failing vehicle. This practice is known as “clean scanning” and is illegal.

The Attorney General filed suits in Superior Court against Hillside Jaguar of Somerville and two inspectors for conducting 208 clean scans in the past two years, and against Dorchester Auto Service, Inc. and an inspector for conducting 72 clean scans.

MassDEP filed administrative orders against five stations, two located in Framingham, two in Lawrence and one in Everett. Both MassDEP and the AG’s office are seeking financial penalties and the revocation or suspension of the station and inspector licenses.

MassDEP alleges that Aoude Gulf Co. of Framingham and an inspector conducted 38 clean scans, Framingham Petroleum & Auto Center and an inspector conducted 25 clean scans, Route 114 Gulf, Inc. of Lawrence and an inspector conducted 15 clean scans, Leo and Sons Auto Repair of Lawrence and three inspectors conducted 12 clean scans, and Hi-Tech Auto Service of Everett and three inspectors conducted 15 clean scans.

The new emissions inspection program will make it much more difficult to perform fraudulent tests as the new system will kick out irregular inspection data in real-time for review by authorities, and can lock an inspector out of the computer system if the data does not match the car being tested.

For more information on the auto inspection enforcement cases, turn to:
<http://www.mass.gov/dep/public/press/1008emit.htm>

Green Transportation: MassDEP Puts Electric Bike into Use Around Downtown Boston

MassDEP's fleet of vehicles expanded recently, but only for those who either work in the Boston office or are spending the day at One Winter Street. And the good news is you won't need to worry about re-filling the gas tank, the windshield wiper fluid or even having a driver's license. But you will need dry road conditions and some familiarity with the rules of riding a bike downtown.

That's because this new addition is an electric bike donated to MassDEP by the utility company N-Star in 2000; until recently, it was sitting in storage. Dusted off, refurbished and tuned up by Steve White and his colleagues in MassDEP's Bureau of Waste Prevention, this foldable mountain bike, is blue in color, but "green" in its deployment. It will be available for use for treks around town, mainly to get to meetings.

It also boasts a local pedigree: the manufacturer, Montague, is located in Cambridge, Mass.

On a normal 3-4 hour charge (you can plug the bike into a standard outlet) you can expect to travel about 20 miles aboard the "Monty" (as it's being called) and to reach up to speeds of 20 miles per hour. Yes, in a pinch, you can ride it just as you would an ordinary bike, but the extra weight of the battery powered motor makes pedaling the "Monty" a bit more of a workout than you might expect.

The real attraction you'll see, though, is the reception you get when taking this bike across the city (for example to the Saltonstall building, the EPA or another office, for a meeting). Dave Biggers, environmental analyst in the Bureau of Waste Prevention, took the maiden voyage recently and his departure coincided with a serendipitous meeting with MassDEP Commissioner Laurie Burt and Deputy Commissioner Lucy Edmondson.

"I was surprised by the reaction of other riders on the bike trail," Biggers said. "I thought they would adopt a more purist approach and think I was cheating or defeating the purpose of manually riding a bike, but it was all thumbs up, and as one guy in a car said to me, 'Hey, with gas prices where they are, you gotta do something.'"

Biggers offers a final word of caution: pressing the throttle and activating the 12-amp, 24-volt motor, when you're unfamiliar with it, does cause a sudden jump in acceleration. Some at MassDEP are also jumping at the chance to use this green mode of transportation downtown.

News Briefs

MassDEP, AG Reach \$2.3 Million Settlement With Attleboro Plant Owners Over Numerous Environmental Violations

MassDEP and the Attorney General's office recently approved a landmark settlement agreement with Mantrose-Hauser Co, Inc. and Zinsser Co., Inc. concerning allegations that the companies violated several of the state's air pollution and other environmental laws at their Attleboro manufacturing facility, located in a residential area adjacent to the Ten Mile River. The companies have agreed to pay \$2 million in civil penalties and \$300,000 toward two supplemental environmental projects (SEPs) that will benefit public health and the environment. The first SEP would pay \$150,000 to help fund the installation of auxiliary power units on Providence and Worcester Railroad diesel powered locomotives, reducing locomotive idling and excess diesel particulate emissions. The second SEP

would send \$150,000 to the Attleboro Redevelopment Authority to help fund a riverbank restoration project on the Ten Mile River as part of the downtown urban renewal plan. The complaint, in part, alleges that since 1998 the facility has annually emitted, at a minimum, two to three times more air pollutants than their permit allowed, along with numerous other environmental violations. The case was investigated by MassDEP's Regional Enforcement and Compliance Team, which operates out of the Southeast Regional Office in Lakeville, and focuses on investigating complex, multi-violations cases. For more details on this case, turn to: <http://www.mass.gov/dep/public/> and click on News Releases.

Stakeholder Meetings To Seek Public Comment On New Solid Waste Master Plan

MassDEP will be holding statewide stakeholder meetings in December and January to garner public input on the new Solid Waste Master Plan. The master plan is the Commonwealth's blueprint for managing solid waste that is generated, reused, recycled, recovered and disposed of in Massachusetts. Increases in energy costs, heightened concerns about climate change, renewed interest in more efficient use of waste as second-hand materials, and diminishing public resources are prompting MassDEP to fundamentally reexamine the way we think about solid waste management. The public meetings are set for: Dec. 9 in the MassDEP Boston office; Dec. 11 at MassDEP's office in Worcester; Dec. 16 at MassDEP's office in Wilmington; Jan. 6 at Holyoke Community College; and Jan. 8 at the Lakeville Public Library. For more details on the meetings and the master plan, turn to: www.mass.gov/dep/public/publiche.htm#swmp

\$2.2 Million Awarded To 11 Local Projects To Eliminate Nonpoint Source Pollution

The Patrick Administration has announced that 11 local projects will receive more than \$2.2 million in funding as part of the federal fiscal year 2009 Section 319 Nonpoint Source Grant Program. The projects will help to protect water resources by restoring and preserving watershed areas, constructing storm-water treatment systems, demonstrating innovative technologies, and educating the public on how to protect sensitive natural resources. The projects are located in: Barnstable County; Boston; Brewster; Fairhaven; Harvard; Hull; Plymouth/Wareham; Provincetown; Southwick; Stockbridge; and West Brookfield. Pollution from storm-water runoff and other nonpoint sources threatens the health of lakes, streams and watersheds, and these projects will educate citizens about the dangers of nonpoint pollution and how to eliminate it. For more details on the projects, turn to: <http://www.mass.gov/dep/public/press/0908tree.htm>

Oil Spill Trailer From MassDEP Put To Good Use In Newbury

MassDEP has delivered 48 oil spill trailers to emergency responders in coastal communities over the last few years, and the Town of Newbury in northeastern Massachusetts was the first town to put the trailer into action this fall. A home heating oil spill was discovered in the Parker River, and it was threatening to impact sensitive resources in this tidal river area. But the Newbury Fire Department jumped into action, brought their new oil spill response trailer to the scene and deployed containment boom from the trailer to halt the flow of the oil into the river. The oil was later pumped out of the river. It was noted that the Newbury firefighters had gotten training from MassDEP on the use of this equipment just days before the oil spill was reported, and they did a good job of placing and halting the spill.

\$80,000 Awarded To Eight Organizations To Promote Citizen Involvement In Contaminated Site Cleanups

MassDEP has awarded a total of \$80,000 to two municipalities and six citizen groups in order to track contaminated sites. The 2008 Technical Assistance Grant (TAG) Program provides funding to promote citizen involvement in the planning process for cleaning up contaminated sites, and it assists citizens in obtaining and understanding the technical information that is used to make cleanup decisions at these sites. The \$10,000 grants were awarded to: People of Ayer Concerned About the Environment; Town of Deerfield; Citizens for Environmental Justice in Fall River; the Neponset River Watershed Association in Hyde Park; the Citizens Environmental Health Impact Committee in Middleborough; Old Bedford Village Economic Development Commission in New Bedford; the Norwood Health Department; and the Friends and Neighbors of Glen Park in Somerville. TAG awards are used to hire a consultant, or other technical expert, to conduct an independent analysis of the waste site cleanup activities. The findings are then presented to the community for review and comment. For more information, turn to: <http://www.mass.gov/dep/public/press/0808taga.htm>

Summer Ozone Season Results In 18 Unhealthful Air Days

The 2008 summer ozone season ended September 30th, and MassDEP noted improvements to the air quality this summer. There were 18 unhealthful air days recorded this year, the same number as 2007. While the number remained the same, this in part represents an improvement because in 2008, a new stricter federal ozone standard was in effect, and this change had been expected to result in an increase in the number of unhealthful air days. Though tighter pollution controls and residents' efforts to reduce pollution had a positive impact this summer, so did weather patterns that brought more cloudy days and frequent rains. For more information on what Massachusetts is doing to combat air pollution, turn to: www.mass.gov/dep/air.

DEP-Assisted Report On Recycling Earns Fox-25 An Emmy

A news segment on the Boston area FOX-25 channel that focused on recycling, and was brought about with considerable input from MassDEP, has helped the station (WFXT-25) win a New England Emmy Award for Best News Report/Light Feature. The segment, "How Much Trash Do You Produce?" originally aired on Nov. 28, 2007. MassDEP's Recycling Director Greg Cooper participated in taping the light-hearted segment. Greg and anchorman, Frank Mallicoat, looked at what each of us could do in order to recycle more. Video footage followed Frank as he bags all his weekly trash in one place. This is followed with footage of a table full of trash accumulated by week's end. Greg then guides Frank through this refuse, reviewing what should or could have been done to reduce it. Large amounts of paper, plastic, glass and metal are highlighted. Suggestions are offered to reduce the waste: bring a cloth bag to the store; bring your own mug to re-fill your coffee; recycle all your paper, including cardboard; and start a compost bin for that organic material. For more recycling tips, turn to: www.mass.gov/dep/recycle/reducere.htm



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